

## REMARKS/ARGUMENTS

Applicants acknowledge receipt of the Final Office Action dated January 12, 2006. By this Response, claim 1 is amended. Claims 1-17 and 21-23 are pending in the Application. The Examiner has rejected claims 1-13, 16-17, and 21-23 under 35 U.S.C. § 103 as being unpatentable over Phanopoulos, WO 00/44803 ("*WO '803*") in view of Cone et al., U.S. Patent No. 4,115,178 ("*Cone*"), and vice versa. The Examiner has also rejected claims 14-15 under 35 U.S.C. § 103 as being unpatentable over *WO '803* in view of *Cone* as applied to claims 6 or 7, and further in view of either Robitschek et al., U.S. Patent No. 4,403,013 ("*Robitschek*") or National Evaluation Report (dated 11-2002) on LINESTAR™ Adhesives ("*LINESTAR™*"). Applicants believe all pending claims are allowable over the art of record and respectfully request reconsideration and allowance of all claims.

### **I. Claims 1-13, 16-17, and 21-23 are patentable over *WO '803* in view of *Cone*, and vice versa.**

Applicants respectfully traverse the Examiner's rejections of claims 1-13, 16-17, and 21-23 under § 103 as being unpatentable over *WO '803* in view of *Cone*, and vice versa. Applicants submit that contrary to MPEP § 2143, the Examiner has failed to make a *prima facie* case of obviousness in rejecting such claims in that the Examiner has failed to cite references that teach or suggest all of the elements recited in the rejected claims.

Claim 1 is an independent claim upon which claims 2-13, 16-17, and 21-23 depend. Claim 1 has been amended to recite "placing at least one of the liquid polyisocyanate coated veneers in contact with at least one other veneer to form a loose stack of veneers, wherein the veneers are oriented with concave surfaces facing in opposite directions; (g) pressing the loose stack of veneers in the pressing means under conditions suitable to cause the polyisocyanate laminating adhesive to at least partially cure to form an adhesive bonded wood laminate." In regards to *WO '803* in view of *Cone*, nothing in *WO '803* teaches or suggests wherein the veneers are oriented with concave surfaces facing in opposite directions. In addition, the Examiner notes that *WO '803* also does not teach or suggest "a ribbon coating apparatus", as recited by claim 1. (Office Action, pg. 2, lns. 19-20)

*Cone* cannot supply *WO '803* with these missing limitations. Nothing in *Cone* teaches or suggests placing at least one of the liquid polyisocyanate coated veneers in contact with at least one other veneer to form a loose stack of veneers, wherein the veneers are oriented with concave surfaces facing in opposite directions and also pressing the loose stack of veneers in the pressing means under conditions suitable to cause the polyisocyanate laminating adhesive to at least partially cure to form an adhesive bonded wood laminate. Instead, *Cone* teaches away from orienting the veneers with concave surfaces facing in opposite directions and pressing the loose stack of veneers in the pressing means. For instance, *Cone* teaches that "[t]he individual veneers have an uneven profile and do not lie flat in the panel assembly . . . [f]or this reason, it is common practice to prepress a stack of such panel assemblies . . . ." (*Cone*, col. 1, lns. 16-24) *Cone* further teaches that "[p]repressing reduces the number of reject panels produced because it **precludes loading into the press an assembly of loose veneers** which might become rearranged and thus produce faulty products." (*Cone*, col. 1, lns. 41-44, emphasis added) Therefore, *Cone* does not teach or suggest such recitations of claim 1.

In regards to *Cone* in view of *WO '803*, nothing in *Cone* teaches or suggests "placing at least one of the liquid polyisocyanate coated veneers in contact with at least one other veneer to form a loose stack of veneers, wherein the veneers are oriented with concave surfaces facing in opposite directions; (g) pressing the loose stack of veneers in the pressing means under conditions suitable to cause the polyisocyanate laminating adhesive to at least partially cure to form an adhesive bonded wood laminate," as recited by amended claim 1. *WO '803* cannot supply the missing limitations to *Cone* because, as noted above, *WO '803* does not teach or suggest such limitations.

Accordingly, Applicants respectfully request that the Examiner withdraw the § 103 rejections and allow claim 1. Since independent claim 1 is submitted to be allowable, dependent claims 2-13, 16-17, and 21-23 must *a fortiori* also be allowable, since they carry with them all the limitations of claim 1.

**II. Claims 14-15 are patentable over *WO '803* in view of *Cone* as applied to claims 6 or 7 and further in view of either *Robitschek* or LINESTAR™.**

Applicants respectfully traverse the Examiner's rejections of claims 14-15 under § 103 as being unpatentable over *WO '803* in view of *Cone* as applied to claims 6 or 7 and further in view of either *Robitschek* or LINESTAR™. Applicants submit that contrary to MPEP § 2143, the Examiner has failed to make a *prima facie* case of obviousness.

Claims 14-15 depend upon independent claim 1. Claim 1, as amended, recites "placing at least one of the liquid polyisocyanate coated veneers in contact with at least one other veneer to form a loose stack of veneers, wherein the veneers are oriented with concave surfaces facing in opposite directions; (g) pressing the loose stack of veneers in the pressing means under conditions suitable to cause the polyisocyanate laminating adhesive to at least partially cure to form an adhesive bonded wood laminate." As noted above in Section I, *WO '803* in view of *Cone* and vice versa do not teach or suggest placing at least one of the liquid polyisocyanate coated veneers in contact with at least one other veneer to form a loose stack of veneers, wherein the veneers are oriented with concave surfaces facing in opposite directions and also pressing the loose stack of veneers in the pressing means under conditions suitable to cause the polyisocyanate laminating adhesive to at least partially cure to form an adhesive bonded wood laminate. Furthermore, neither *Robitschek* nor LINESTAR™ can supply the missing limitations to *WO '803* or *Cone*. For instance, nothing in *Robitschek* or LINESTAR™ teaches or suggests any such limitations.

Applicants therefore respectfully submit that the Examiner has failed to articulate a *prima facie* case of obviousness in rejecting claims 14-15, because, contrary to MPEP section 2143, the Examiner has failed to cite references that teach or suggest all of the elements recited in the rejected claims. Since independent claim 1 is submitted to be allowable, dependent claims 14-15 must *a fortiori* also be allowable, since they carry with them all the limitations of independent claim 1.

**III. Conclusion**

Applicants respectfully request reconsideration, allowance of the pending claims and a timely Notice of Allowance be issued in this case. If the Examiner feels that a telephone

conference would expedite the resolution of this case, the Examiner is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art that have yet to be raised, but which may be raised in the future.

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769.

Respectfully submitted,



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